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DARBY & DARBY P.C.
805 Third Avenue
New York, NY 10022

EXAMINER

NGUYEN, NHON D

ART UNIT	PAPER NUMBER
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2174

DATE MAILED: 02/27/2004

7

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary

Application No.

09/751,323

Applicant(s)

RIBAK, AMNON

Examiner

Nhon (Gary) D Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 December 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-35 and 44-76 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 34, 35, 75 and 76 is/are allowed.
- 6) ☒ Claim(s) 1-33 and 44-74 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

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DETAILED ACTION

1. This communication is responsive to Amendment A, filed 12/03/2003.
2. Claims 1-35, and 44-76 are pending in this application. Claims 1, 34, 35, 44, 75, and 76 are independent claims. In the Amendment A, claims 36-48, and 77-81 are canceled, claims 1, 7, 19, 21, 23, 25, 34, 35, 44, 50, 60, 62, 64, 66, 75, and 76 are amended. This action is made final.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1, 2, 7-9, 18-33, 44, 45, 50-52, and 59-74 are rejected under 35 U.S.C. 103(a) as being unpatentable over Obradovich et al. ("Obradovich", US 6,330,497) in view of Nakadozono (US 5,121,112).

As per independent claim 1, Obradovich teaches a display system for use in a vehicle, comprising:

a dashboard display, positioned in front of a driver of the vehicle, and adapted to display graphic user interface elements, in a predetermined graphic composition, providing information to the driver regarding operation of devices in the vehicle (fig. 2; col. 5, line 32 – col. 6, line 9); and

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Obradovich teaches a processor, coupled to receive signals from the devices in the vehicle and to drive the display responsive thereto, and to alter the graphic composition of the display responsive to a selected input to the processor (col. 5, lines 39-52). However, Obradovich does not disclose the processor receives an event input indicative of an event or situation not initiated by the driver and adapted to alter the graphic composition of the display autonomously responsive to said event input. Nakadozono discloses a display apparatus for a vehicle that automatically changes the display modes in response to the monitored vehicular conditions (col. 1, line 45 – col. 2, line 2). It would have been obvious to an artisan at the time of the invention to use the teaching from Nakadozono of changing the display modes in response to the monitored vehicular conditions to modify Obradovich's system to have the processor receives an event input indicative of an event or situation not initiated by the driver and adapted to alter the graphic composition of the display autonomously responsive to said event input since it would free a driver from having to select vehicular conditions on the dashboard while driving.

As per claim 2, which is dependent on claim 1, Obradovich teaches the graphic user interface elements provide information regarding at least one device selected from the group consisting of speedometer, tachometer, audio equipment, air conditioner, Internet browser, television, GPS, sun roof, windows, seat positioning, cellular telephone, fuel gauge, oil level gauge, tire pressure gauge, engine temperature gauge, brake temperature gauge, window-washer fluid gauge, and headlights (col. 5, lines 45-52).

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As per claim 7, which is dependent on claim 1, Obradovich teaches the processor is further adapted to alter the graphic composition of the display responsive to a driver input provided by a driver of the vehicle (col. 4, line 65 – col. 5, line 14 and col. 6, line 55).

As per claim 8, which is dependent on claim 7, Obradovich teaches the driver input comprises a vocal input (col. 6, lines 56-61).

As per claim 9, which is dependent on claim 7, Obradovich teaches the driver input comprises selection of an image, icon or button on the dashboard display, or selection of an item from a pull-down menu on the dashboard display (fig. 9 – fig. 18).

As per claim 18, which is dependent on claim 7, Obradovich teaches the driver input is selected from the group consisting of a request to initiate a telephone call, a request to change the internal temperature of the vehicle, a request to utilize the GPA, and a request to adjust the audio equipment (fig. 1).

As per claims 19 and 20, which are dependent on claim 1 and 19 respectively, Obradovich teaches the event input to the processor comprises an input from a gauge of vehicle performance wherein said gauge of vehicle performance comprises a gauge selected from the group consisting of speedometer, tachometer, fuel gauge, oil level gauge, tire pressure gauge, engine temperature gauge, brake temperature gauge, window washer fluid gauge (fig. 12 and 13).

As per claims 21 and 22, which are dependent on claims 1 and 21 respectively, Obradovich teaches the event input to the processor comprises an input from a monitor of a status of vehicle components wherein said monitor of vehicle components monitors the status of a component selected from the group consisting of sun roof, windows, seat, internal rear-view mirror, external mirror, steering column, seat belt, door (108 of fig. 1; col. 7, line 12 – col. 8, line 34).

As per claims 23 and 24, which is dependent on claims 1 and 23 respectively, Obradovich teaches the event input to the processor comprises an input from an auxiliary device in the vehicle wherein said auxiliary device is selected from the group consisting of audio equipment, air conditioner, Internet browser, television, e-mail terminal, GPS, cellular telephone, travel log, pager and personal digital assistant (PDA) (106 of fig. 1; col. 6, line 62 – col. 7, line 29).

As per claims 25 and 26, which are dependent on claims 1 and 25 respectively, Obradovich teaches the event input to the processor is generated responsive to an electronic signal from a source external to the vehicle wherein said external electronic signal is generated due to an event selected from the group consisting of receipt of an incoming telephone call, receipt of an e-mail message, download of a digital music recording, and receipt of a traffic alert (106 of fig. 1; col. 6, line 62 – col. 7, line 29).

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As per claim 27, which is dependent on claim 1, Obradovich teaches the dashboard display is personally configured for an individual driver (col. 18, lines 14-33).

As per claim 28, which is dependent on claim 27, Obradovich teaches the display is personally configured responsive to an input to the processor of driver preferences regarding the graphic composition of the dashboard display (col. 18, lines 14-33).

As per claim 29, which is dependent on claim 27, Obradovich teaches the display is personally configured responsive to an input to the processor of driver preferences relating to operation of the dashboard display (col. 18, lines 14-33).

As per claim 30, which is dependent on claim 27, Obradovich teaches the display is personally configured responsive to an input to the processor of driver preferences relating to operation of at least one device in the vehicle (col. 18, lines 14-33).

As per claim 31, which is dependent on claim 27, Obradovich teaches the display is personally configured responsive to an input of driver preferences to the processor at a location remote from the vehicle (col. 19, lines 35-57).

As per claim 32, which is dependent on claim 27, Obradovich teaches the display is personally configured responsive to an input of driver preferences to the processor within the vehicle (col. 18, lines 14-33).

As per claim 33, which is dependent on claim 32, Obradovich teaches the input of driver preferences comprises an input to the processor while the vehicle is driving (col. 18, lines 14-33).

As per independent claim 44, it is a similar scope to claim 1; therefore, it should be rejected under similar rationale.

As per claim 45, which is dependent on claim 44, it is a similar scope to claim 2; therefore, it should be rejected under similar rationale.

As per claim 50, which is dependent on claim 44, it is a similar scope to claim 7; therefore, it should be rejected under similar rationale.

As per claim 51, which is dependent on claim 50, it is a similar scope to claim 8; therefore, it should be rejected under similar rationale.

As per claim 52, which is dependent on claim 50, it is a similar scope to claim 9; therefore, it should be rejected under similar rationale.

As per claim 59, which is dependent on claim 50, it is a similar scope to claim 18; therefore, it should be rejected under similar rationale.

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As per claim 60, which is dependent on claim 44, it is a similar scope to claim 19; therefore, it should be rejected under similar rationale.

As per claim 61, which is dependent on claim 60, it is a similar scope to claim 20; therefore, it should be rejected under similar rationale.

As per claim 62, which is dependent on claim 44, it is a similar scope to claim 21; therefore, it should be rejected under similar rationale.

As per claim 63, which is dependent on claim 62, it is a similar scope to claim 22; therefore, it should be rejected under similar rationale.

As per claim 64, which is dependent on claim 44, it is a similar scope to claim 23; therefore, it should be rejected under similar rationale.

As per claim 65, which is dependent on claim 64, it is a similar scope to claim 24; therefore, it should be rejected under similar rationale.

As per claim 66, which is dependent on claim 44, it is a similar scope to claim 25; therefore, it should be rejected under similar rationale.

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As per claim 67, which is dependent on claim 66, it is a similar scope to claim 26; therefore, it should be rejected under similar rationale.

As per claim 68, which is dependent on claim 44, it is a similar scope to claim 27; therefore, it should be rejected under similar rationale.

As per claim 69, which is dependent on claim 68, it is a similar scope to claim 28; therefore, it should be rejected under similar rationale.

As per claim 70, which is dependent on claim 68, it is a similar scope to claim 29; therefore, it should be rejected under similar rationale.

As per claim 71, which is dependent on claim 68, it is a similar scope to claim 30; therefore, it should be rejected under similar rationale.

As per claim 72, which is dependent on claim 68, it is a similar scope to claim 31; therefore, it should be rejected under similar rationale.

As per claim 73, which is dependent on claim 68, it is a similar scope to claim 32; therefore, it should be rejected under similar rationale.

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As per claim 74, which is dependent on claim 73, it is a similar scope to claim 33; therefore, it should be rejected under similar rationale.

5. Claims 3-6 and 46-49 are rejected under 35 U.S.C. 103(a) as being unpatentable over Obradovich and in view of Nakadozono.

As per claims 3-6, which are all dependent on claim 1, the Examiner takes Official Notice that altering the graphic composition of the display by adding, removing, changing position, and changing size of a graphic user interface element on the display is obvious in the computer GUI art. It would have been obvious to an artisan at the time of the invention to modify modified Obradovich's system to include altering the graphic composition of the display by adding, removing, changing position, and changing size of a graphic user interface element on the display since it would provide the user a better tool to organize the graphic composition on the display.

As per claims 46-49, which are all dependent on claim 44, they are similar in scope to claims 3-6 respectively; therefore, they should be rejected under similar rationale.

6. Claims 10-17 and 53-58 are rejected under 35 U.S.C. 103(a) as being unpatentable over Obradovich in view of Nakadozono as applied to claims 7 and 50 respectively and further in view of Opel (US 5,555,502).

As per claims 10 and 11, which are dependent on claims 7 and 10 respectively, modified Obradovich does not disclose the vehicle also comprises driver-manipulable steering apparatus, said display system further comprising a selecting device mounted upon said steering apparatus,

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for use by a driver of the vehicle in providing said driver input wherein said selecting device comprises a pointing device. Opel discloses a pointing device mounted upon a steering wheel for use by a driver of the vehicle in providing the driver input (fig. 1 and fig. 2). It would have been obvious to an artisan at the time of the invention to use the teaching from Opel of implementing a pointing device mounted upon a steering wheel for use by a driver of the vehicle in providing the driver input in modified Obradovich's system since it would allow a driver easily and safely interacting with the graphic display.

As per claim 12, which is dependent on claim 11, Opel teaches the pointing device is a thumb-button (fig. 2).

As per claim 13, which is dependent on claim 11, Opel teaches the selecting device also comprises clickable buttons located upon said steering apparatus (fig. 2).

As per claim 14, which is dependent on claim 11, Opel teaches the selecting device also comprises clickable buttons located upon said pointing device (fig. 2).

As per claim 15, which is dependent on claim 10, Opel teaches the steering apparatus comprises a steering wheel (fig. 1).

As per claim 16, which is dependent on claim 10, Opel teaches the steering apparatus comprises handlebars (fig. 1).

As per claim 17, which is dependent on claim 10, Opel teaches inputting said driver input to said processor does not require the driver removing a hand from the steering apparatus (fig. 1; because the selecting device is mounted upon the steering wheel, the driver does not require removing a hand from the steering wheel to input data).

Claim 53 is rejected under the same rationale as claim 10.

Claims 53 and 54 are rejected under the same rationale as claim 11.

Claim 55 is rejected under the same rationale as claim 12.

Claim 56 is rejected under the same rationale as claim 13.

Claim 57 is rejected under the same rationale as claim 14.

Claim 58 is rejected under the same rationale as claim 17.

Allowable Subject Matter

7. Claims 34, 35, 75, and 76 are allowed.

The following is a statement of reasons for the indication of allowable subject matter:

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(a) As per claims 34 and 75, the prior art made of record fails to anticipate or make obvious the claimed invention. Specifically, the prior art fails to teach, in combination with the remaining elements.

Wherein said input of driver preferences comprises driver preferences learned by the processor while the vehicle is driving.

The prior art such as Obradovich teaches a dashboard display, positioned in front of a driver of the vehicle, and adapted to display graphic user interface elements, in a predetermined graphic composition, providing information to the driver regarding operation of devices in the vehicle. However, this prior art, taken alone or in combination still fails to anticipate or render the above limitation obvious.

(b) As per claims 35 and 76, the prior art made of record fails to anticipate or make obvious the claimed invention. Specifically, the prior art fails to teach, in combination with the remaining elements.

Wherein at least one configuration of the graphic composition of the dashboard display is blocked while the vehicle is moving.

The prior art such as Obradovich teaches a dashboard display, positioned in front of a driver of the vehicle, and adapted to display graphic user interface elements, in a predetermined graphic composition, providing information to the driver regarding operation of devices in the vehicle. However, this prior art, taken alone or in combination still fails to anticipate or render the above limitation obvious.

Response to Arguments

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8. Applicant's arguments with respect to claims 1 and 44 have been considered but are moot in view of the new ground(s) of rejection.

Applicant's failure to adequately traverse the Examiner's taking of Official Notice in the last office action is taken as an admission of the fact(s) noticed.

Conclusion

9. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Inquiries

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nhon (Gary) D Nguyen whose telephone number is 703-305-

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8318. The examiner can normally be reached on Monday - Friday from 8 AM to 5:30 PM with every other Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine L Kincaid can be reached on 703-308-0640. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Nhon (Gary) Nguyen
February 17, 2004

Kristine Kincaid
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